IN RE: PETITION FOR ZONING VARIANCE

N/S Hiss Avenue, 358' F of the

C/L of Wendell Avenue

(8506 David Avenue)

14th Election District
6th Councilmanic District

\* Case No. 89-123-A

Milton C. Frice, et ux

Petitioner

tants.

NOTICE OF HEARING

The Zoning Commissioner of Statemore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properly identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, \*\*Asryland as fol-

Varience to permit a sideyard setback of 6 inches in lieu of the required 11.25 feet for an open projection (carport). In the event that this Petition is granted, a building normit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the resuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or resented at the hearing.

J. ROBERT HAINES
Zoning Commissioner (
Baltimore Count

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6 inches in lieu of the required 11.25 feet for an open projection (carport), as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protes-

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the <u>Baltimore County Zoning Regulations</u> (B.C.Z.R.) and, therefore, should be granted as hereinafter modified. Setbacks of the size requested directly lend themselves to intrusions onto neighboring properties. The requested variance, if granted, would allow for a carport approximately 18 feet wide. In my opinion, a carport 17 feet wide will be more than adequate to serve its intended purpose. Further, the relief granted will protect both the Petitioners and their neighbors by providing more space between the property line and the edge of the building for ingress and egress. There is no evidence in the record that the variance granted herein would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R.

CERTIFICATE OF PUBLICATION

S. Zehe Olman,
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 59-173- #

Toursen, Maryland

District / HT/ Dete of Posting 9/17/87

Posted for: Notion C. Prico 1st 41

Dete of Posting 9/17/87

Posted for: Millon C. Prico 1st 41

Location of property: W/S David Are, 232. 19' N/Hiss Ate. — (David Are. 1s 358' of Word dell Are, 232. 19' N/Hiss Ate. — (David Are. 1s 358' of Word dell Are, 232. 19' N/Hiss Ate. — (David Are. 1s 358' of Word dell Are. 232. 19' N/Hiss Ate. — (David Are. 232. 15' fr. 400 dwoy. Location of Signs: Facing Date of return: 9/10/8

Posted by Area of Signs: Date of return: 9/10/8

would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance, as hereinafter modified, should be granted.

County this day of October, 1988 that a variance to permit a side yard setback of 18 inches in lieu of the required 11.25 feet for an open projection (carport), be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The variance granted herein is limited to an open projection (carport) which is open on all three sides excepting the side it abuts the existing dwelling.

3) Petitioner shall not allow or cause said carport to ever be enclosed. Further, there shall be no enclosed structures created as a result of this variance.

4) Petitioner shall incorporate and provide appropriate storm water runoff provisions in its construction plans to insure that all runoff is directed away from neighboring properties.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING The Zoning Commissioner of Beltimore County, by authority of the Zoning Act and Regulations of Beltimore County will hold a public hearing on the properly identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towacn, Maryland as fol-THE JEFFI IS TO CERTIFY, that the annexed advertisement was in OWINGS MILLS TIMES, a weekly newspaper published SALES & LEGAL NOTICES NOTICE OF HEARING The Zoning Commissioner of Baltimore County, Md., once in each of the Zoning Act and Regulation of Baltimore County will hold a of Baltimore County will hold a of the parameter on the parameter on the parameter of the parameter weeks, he first publication appearing on Petition for Zoning Variance Case number: 89-123-A N/S of Hiss Avenue, 356' E of c/l of Wendel Avenue public hearing on the property identified herein in Room 136 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Manyland as fol-Northeast OWINGS-MILLS-TIMES, Petition for Zoning Variance Case number: 89-123-A N/S of Hise Avenue, 356' E of c/l of Wendell Avenue (8506 David Avenue) 4h Election District 6th Councilmanic Variance to permit a sideyard selback of 6 inches in lieu of the required 11.25 feet for an open projection (carport). In the event that this Petition is Petitioner(s):
Milton C. Price, et ux
Hearing Date: Thursday,
Oct. 13, 1986 at 9:00 a.m. granted, a building permit may by jecund within the thirty (30) day appeal period. The Zoring Com-missioner will, however, entertain any request for a stay of the in-Variance to permit a side yard setback of 6 inches in lieu of the required 11.25 feet for an any request to a saw sunner of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the rearing. open projection (carport). In the event that this Petition is In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the iesuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

PROPERTY DESCRIPTION

J. ROBERT HAINE

Beginning on the North side of Hiss Avenue, 50 feet wide, at the distance of 358 feet East of centerline of Wendell Avenue. Being Lot #17, Block F, Section 4 in the subdivision of Hallmark Manor. Book #28 Folio 69. Also known as 8506 David Avenue containing .22 acres in the 14th Election District.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines

October 25, 1988

Mr. & Mrs. Milton C. Price 8506 David Avenue Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE

N/S Hiss Avenue, 358' E of the c/l of Wendell Avenue
(8506 David Avenue)

14th Election District - 6th Councilmanic District
Milton C. Price, et ux - Petitioners
Case No. 89-123-A

Dear Mr. & Mrs. Price:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Dennis F. Rasmussen

cc: People's Counsel

File

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204

Date: 9/22/88

Mr. & Mrs. Milton C. Price B506 David Avenue Baltimore, Maryland 21234

Re: Petition for Zoning V&riance CASE NUMBER: 89-123-A

Dennis F. Rasmussen
County Executive

Bear Mr. & Mrs. Prices

494-3353

J. Robert Haines

Please be advised that \$\frac{\frac{86.26}{86.26}}{\text{ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County it along with the sign and a second	Maryland and bring fice, County Office ininutes before
BALTIMORE COUNTY, MARYLAND No. 059041	d post set(s), there
MISCELLANEOUS CASH RECEIPT  10/13/88 ACCOUNT 6-01-615-000	each set not
DATE 10/13/00 ACCOUNT \$ 86.26	
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B GET * * * * * * * * * * * * * * * * * * *	

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.4.1 (214.1., A.G. 1955). To permit a sideyard setback of 6 inches in lieu of the required 11.25 feet for an open projection

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

I,m appling for a Variance permit to build a carport tomy property line. Under the certian restrictions of the law my carport width would restrain me from opening my car doors.

In accordance with county law the variance needed would supply me with additional footage for the project.

E.D. 14 h

DATE 1-24-14

Supply 300 BF

1000 BF

Item 30

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we

		are the legal owner(s) o which is the subject of this	f the property
	Contract Purchaser:	Legal Owner(s):	
		Mr. Milton C. Price	
	(Type or Print Name)	(Type or Print Name)  mn. millon C.	Rriel
)	Signature	Signature	
6 4		Mrs. Milton C. Price	
1.5	Address	(Type or Print Name)	
1 2		Mast Mitton C. Price	ره
1	City and State	Signature	
	Attorney for Petitioner:		
<b>37</b>		8506 David Ave.	66I-056I
	(Type or Print Name)	Address	Phone No.
\$\f	<i>'</i> 3	Baltimore, Md. 21234	
3H	Signature	City and State	
R	Address	Name, address and phone number of tract purchaser or representative to	legal owner, con- be contacted
Date By	City and State	Name	
	Attorney's Telephone No.:	Address	Phone No.

Office of Planning & Zoning Towson, Maryland 21204 491-3353 J. Robert Haines

Baltimore County

Zoning Commissioner

September 8, 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-123-A
N/S of Hiss Avenue, 358' E of c/l of Wendell Avenue
(8506 David Avenue)
4th Election District - 6th Councilmanic
Petitioner(s): Milton C. Price, et ux
HEARING SCHEDULED: THURSDAY, OCTOBER 13, 1988 at 9:00 a.m.

Variance to permit a sideyard setback of 6 inches in lieu of the required 1%.25 feet for an open projection (carport).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Milton C. Price
File











